

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

AMANDA LOU CAVALIERI, et al.,

Plaintiffs,

vs.

LAS VEGAS METROPOLITAN POLICE  
 DEPARTMENT, et al.,

Defendants.

Case No. 2:11-cv-00351-ECR-PAL

**ORDER**

(Mtn to Withdraw - Dkt. #30)

This matter is before the court on the Motion to Withdraw as Counsel of Record (Dkt. #30) filed July 30, 2011. Potter Law Offices seeks to withdraw as counsel of record for Plaintiffs Amanda Lou Cavalieri, both individually and in her capacity as special administrator of the Estate of Michael Anthony Cavalieri. The Motion represents that Ms. Cavalieri retained counsel to file the Complaint and preserve the statute of limitations. Potter Law Offices has done so, and after further investigation, is unable to represent Plaintiff. Local Rule IA 10-6 provides that “no withdrawal . . . shall be approved if delay of discovery, the trial or any hearing in the case would result.” The Complaint was filed on March 1, 2011. The case is currently stayed while the District Judge considers Defendants’ Motion for Judgment on the Pleadings (Dkt #19) and Motion to Dismiss (Dkt #20). The motions have been fully briefed and are under submission to the district judge.

Having reviewed and considered the matter, and for good cause shown,

**IT IS ORDERED:**

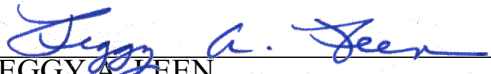
1. The Motion to Withdraw (Dkt. #30) is GRANTED.

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2. An estate cannot appear except through counsel. *See Cashman v. Warchol*, 2006 WL 2431993 (E.D. Ca. Aug. 18, 2006) (*citing Iannoccone v. Law*, 142 F.3d 553, 558 (2d Cir. 1998)). Therefore, the Estate shall have until **September 9, 2011**, in which to retain new counsel who shall file a notice of appearance in accordance with the Local Rules of Practice.
3. Amanda Lou Cavalieri shall have until **September 9, 2011**, in which to retain new counsel who shall file a notice of appearance in accordance with the Local Rules of Practice or to file a statement that she will be proceeding *pro se as to her individual claims*.
3. Failure to comply with this order may result in a recommendation to the District Judge for sanctions, including case-dispositive sanctions.
4. The Clerk of Court shall serve a copy of this Order on Plaintiffs at:  
Amanda Lou Cavalieri  
6333 Red Comet Ct.  
Las Vegas, NV 89156

Dated this 9th day of August, 2011.

  
PEGGY A. LEEN  
UNITED STATES MAGISTRATE JUDGE